

1 Michael P. Kenny, Esq. (admitted *pro hac vice*)
2 mike.kenny@alston.com
3 Debra D. Bernstein, Esq. (admitted *pro hac vice*)
4 debra.bernstein@alston.com
5 Matthew D. Kent (admitted *pro hac vice*)
6 matthew.kent@alston.com
7 **ALSTON & BIRD LLP**
8 1201 West Peachtree Street
9 Atlanta, Georgia 30309-3424
10 Tel: (404) 881-7000
11 Facsimile: (404) 881-7777

12 James M. Wagstaffe, Esq. (SBN 95535)
13 wagstaffe@kerrwagstaffe.com
14 **KERR & WAGSTAFFE LLP**
15 101 Mission Street, 18th Floor
16 San Francisco, California 94105-1576
17 Tel: (415) 371-8500
18 Facsimile: (415) 371-0500

19 *Attorneys for Plaintiffs Dell Inc. and Dell Products L.P.*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

29 In re: CATHODE RAY TUBE (CRT)
30 ANTITRUST LITIGATION

31 Master File No. 3:07-md-05944-SC (N.D.
32 Cal.)

33 MDL No. 1917

34 This Document Relates to: Individual Case
35 No. 13-cv-2171 (SC)

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DECLARATION OF MATTHEW D. KENT
IN SUPPORT OF DELL INC. AND DELL
PRODUCTS, L.P.'s ADMINISTRATIVE
MOTION TO FILE DOCUMENTS UNDER
SEAL

43 DELL INC. AND DELL PRODUCTS L.P.,

44 PLAINTIFFS,

45 V.

46 HITACHI, LTD., *et al.*,

47 DEFENDANTS.

1 I, MATTHEW D. KENT, declare as follows:

2 1. I am a partner with the law firm of Alston & Bird LLP, counsel for Plaintiffs Dell Inc.
 3 and Dell Products L.P. (collectively, "Dell") in the above-captioned action currently pending in the
 4 U.S. District Court for the Northern District of California. I submit this Declaration in Support of
 5 Dell's Administrative Motion to File Documents Under Seal, related to Direct Action Plaintiffs'
 6 Response in Opposition to SDI Defendants' Motion to Exclude Expert Testimony of Professor Stephan
 7 Haggard ("Haggard *Daubert* Response"). I have personal knowledge of the facts stated herein, and I
 8 could and would competently testify thereto if called as a witness.

9 2. I am a member in good standing of the State Bar of Georgia and am admitted to practice
 10 before the U.S. District Court for the Northern District of Georgia. I have also been admitted to this
 11 Court *pro hac vice* as counsel for Dell pursuant to the Court's Pretrial Order No. 1 in the MDL
 12 Proceeding.

13 3. Pursuant to Civil Local Rules 7-11 and 79-5, and in accordance with this Court's
 14 General Order No. 62, effective May 10, 2010, Dell, by and through its counsel, respectfully request an
 15 Order permitting it to file under seal portions of the Haggard *Daubert* Response and Exhibits 1-6 to the
 16 Declaration of Debra D. Bernstein in Support of the Haggard *Daubert* Response ("Bernstein
 17 Declaration").

18 4. **Exhibit 1** to the Bernstein Declaration is a true and correct copy of the April 15, 2014
 19 Expert Report of Stephan Haggard. Exhibit 1 contains references to information designated as
 20 "Confidential" or "Highly Confidential" under the protective order by Defendant Samsung SDI Co.,
 21 Ltd. ("Samsung SDI") and Samsung Electronics ("Samsung Electronics").

22 5. **Exhibit 2** to the Bernstein Declaration is a copy of the "Full Network of Samsung Intra-
 23 Group Shareholdings (1998, 2002, 2007)" originally attached as supporting material to the April 15,
 24 2014 Expert Report of Stephan Haggard. Exhibit 2 contains references to information designated as
 25 "Confidential" or "Highly Confidential" under the protective order by Defendant Samsung SDI Co.,
 26 Ltd. ("Samsung SDI") and Samsung Electronics ("Samsung Electronics").

1 6. **Exhibit 3** to the Bernstein Declaration is a copy of the “Samsung SDI Personnel
2 Profiles Summary (1998-2007)” originally attached as supporting material to the April 15, 2014 Expert
3 Report of Stephan Haggard, which is designated by Dell as Highly Confidential. Exhibit 3 contains
4 confidential, non-public information regarding Samsung SDI and Samsung Electronics. In addition,
5 Exhibit 3 contains excerpts from or references to materials designated by other parties as
6 “Confidential” or “Highly Confidential” under the Protective Order.

7 7. **Exhibit 4** to the Bernstein Declaration is a copy of the Samsung SDI Defendants
8 Responses to Dell Plaintiffs’ Second Set of Requests for Admission, which is designated as “Highly
9 Confidential” by the Samsung SDI Defendants.

10 8. **Exhibit 5** to the Bernstein Declaration is a copy of the Samsung Electronics’ Responses
11 to Dell Plaintiffs’ First Set of Requests for Admission, which is designated as “Highly Confidential” by
12 Samsung Electronics.

13 9. **Exhibit 6** to the Bernstein Declaration is a copy of the July 10, 2014 deposition
14 testimony of Professor Stephan Haggard, which was designated as Highly Confidential because it
15 refers to information designated as “Confidential” or “Highly Confidential” by Defendants.

16 10. The Haggard *Daubert* Response refers to or contains excerpts from the above Exhibits.
17 These references or excerpts are identified in the Haggard *Daubert* Response with yellow highlighting.
18 An unredacted copy of the Haggard *Daubert* Response with yellow highlighting is being submitted to
19 Chambers.

20 11. Accordingly, Dell requests that the documents identified herein (or relevant portion
21 thereof) be filed under seal.

22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct.

1 Executed on January 16, 2015 in Atlanta, Georgia.

2 By: /s/ Matthew D. Kent
3 Matthew D. Kent
4 matthew.kent@alston.com
5 **ALSTON & BIRD LLP**
6 1201 West Peachtree Street
7 Atlanta, Georgia 30309-3424
8 Tel: (404) 881-7000

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Attorney for Plaintiffs Dell Inc. and Dell Products L.P